

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz (CA Bar No.143717) (*admitted pro hac vice*)

Ira D. Kharasch (CA Bar No. 109084) (*admitted pro hac vice*)

Maxim B. Litvak (Texas Bar No. 24002482)

Gregory V. Demo (NY Bar No. 5371992) (*admitted pro hac vice*)

10100 Santa Monica Blvd., 13th Floor

Los Angeles, CA 90067

Telephone: (310) 277-6910

Facsimile: (310) 201-0760

HAYWARD & ASSOCIATES PLLC

Melissa S. Hayward

Texas Bar No. 24044908

MHayward@HaywardFirm.com

Zachery Z. Annable

Texas Bar No. 24053075

ZAnnable@HaywardFirm.com

10501 N. Central Expy, Ste. 106

Dallas, Texas 75231

Tel: (972) 755-7100

Fax: (972) 755-7110

Counsel for the Debtor and Debtor-in-Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Debtor.

)
) Chapter 11
)
) Case No. 19-34054-sgj11
)
)
)
)

**NOTICE OF AGENDA OF MATTERS SCHEDULED FOR
HEARING ON SEPTEMBER 10, 2020 AT 2:30 P.M. (CENTRAL TIME)**

¹ The Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Debtor is 300 Crescent Court, Suite 700, Dallas, TX 75201.

This hearing will be held as a [Webex](#) meeting.

Meeting number (access code): 172 304 3005

Meeting password: bankruptcy

Join by phone

Tap to call in from a mobile device (attendees only)

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REMINDERS FROM THE COURT

1. Attendees should join the Webex hearing via cell phone, tablet, laptop, desktop, or landline telephone at least 10 minutes prior to the hearing time.
2. Attorneys who anticipate giving extensive legal argument and examining witnesses are strongly encouraged to use the video function (with actual witnesses required).
3. Caller participants who wish to speak during the hearing should key in the Attendee ID or Identity Code when prompted to do so. (The Attendee ID is available on the screen after the caller joins the web portion of the meeting.) Alternatively, the caller can key his/her phone number in to the screen to receive a call back from the Webex server. This will allow the Court to see the names of caller participants and this will greatly speed up the appearance phase at the beginning of the hearing because the Judge can just quickly call roll at the start of the hearing instead of having lawyers possibly talk over each other in trying to appear.
4. **PLEASE USE THE MUTE FUNCTION WHEN YOU ARE NOT SPEAKING.**
5. Remember to state your name for the record each time before speaking.
6. Use headphones whenever possible, especially if using a desktop PC with external speakers.
7. During examination, attorneys and witnesses should use a separate camera and microphone.
8. Attendees may use the “share” button to easily share their screen or document with the group.

UNCONTESTED MATTERS

1. **Second Interim Fee Application of Sidley Austin** – Second Interim Fee Application of Sidley Austin LLP, Attorneys for the Official Committee of Unsecured Creditors, for Compensation and Reimbursement of Expenses for the Period from March 1, 2020 Through and Including May 31, 2020 [Filed: 7/14/20] (Docket No. 831).

Response Deadline: August 4, 2020 at 5:00 p.m. Central Time.

Responses Received: None.

Related Documents:

- a) Certificate of No Objection Regarding the First Interim Application of Sidley Austin LLP for Allowance of Compensation and Reimbursement of Expenses for the Period from March 1, 2020 To and Including May 31, 2020 [Filed: 8/5/20] (Docket No. 918).
- b) Amended Certificate of No Objection Regarding the Second Interim Application of Sidley Austin LLP for Allowance of Compensation and Reimbursement of Expenses for the Period from March 1, 2020 To and Including May 31, 2020 [Filed: 8/5/20] (Docket No. 920).
- c) Omnibus Notice of Hearing on Second Interim Applications for Compensation and Reimbursement of Expenses of Estate Professionals [Filed: 8/19/20] (Docket No. 976).

Status: This matter will go forward.

2. **Second Interim Fee Application of FTI** – Second Interim Fee Application of FTI Consulting, Inc. as Financial Advisor for the Official Committee of Unsecured Creditors, for Compensation and Reimbursement of Expenses for the Period from March 1, 2020 Through and Including May 31, 2020 [Filed: 7/21/20] (Docket No. 883).

Response Deadline: August 11, 2020 at 5:00 p.m. Central Time.

Responses Received: None.

Related Documents:

- a) Certificate of No Objection Regarding the Second Interim Application of FTI Consulting, Inc. for Allowance of Compensation and Reimbursement of Expenses for the Period from March 1, 2020 To and Including May 31, 2020 [Filed: 8/14/20] (Docket No. 960).

- b) Omnibus Notice of Hearing on Second Interim Applications for Compensation and Reimbursement of Expenses of Estate Professionals [Filed: 8/19/20] (Docket No. 976).

Status: This matter will go forward.

- 3. **[REDACTED] Second Interim Fee Application of H&A** – Hayward & Associates PLLC's Second Interim Application for Compensation and Reimbursement of Expenses for the Period from April 1, 2020 Through June 30, 2020 [Filed: 8/18/20] (Docket No. 964).

Response Deadline: September 8, 2020 at 5:00 p.m. Central Time.

Responses Received: This matter will go forward. The informal comments of the United States Trustee have been resolved. Based upon the informal comments of the United States Trustee, Hayward & Associates PLLC has agreed to reduce its requested fees by \$360.00.

Related Documents:

- a) Omnibus Notice of Hearing on Second Interim Applications for Compensation and Reimbursement of Expenses of Estate Professionals [Filed: 8/19/20] (Docket No. 976).

Status: This matter will go forward.

- 4. **Second Interim Fee Application of Foley** – Second Interim Application for Compensation and Reimbursement of Expenses of Foley & Lardner LLP as Special Texas Counsel to the Debtor for the Period from April 1, 2020 through July 31, 2020 [Filed: 8/6/20] (Docket No. 924) (partially redacted invoices).

Response Deadline: August 27, 2020 at 5:00 p.m. Central Time.

Responses Received:

- a) Acis Capital Management, L.P. and Acis Capital Management GP, LLC's Comment and Reservation of Rights to the Application for Compensation and Reimbursement of Expense of Foley & Lardner LLP as Special Texas Counsel [Filed: 8/27/20] (Docket No. 1002).
- b) Informal comments from the Office of the United States Trustee

Related Documents:

- a) Omnibus Notice of Hearing on Second Interim Applications for Compensation and Reimbursement of Expenses of Estate Professionals [Filed: 8/19/20] (Docket No. 976).

- b) Supplement to the Second Interim Application for Compensation and Reimbursement of Expenses of Foley & Lardner LLP as Special Texas Counsel to the Debtor for the Period from April 1, 2020 through July 31, 2020 [Filed: 8/24/20] (Docket No. 988).

Status: This matter will go forward on an uncontested basis in accordance with the terms of the Supplement and a form of Agreed Order that has been approved by the Office of the United States Trustee and Acis, which provides for an interim reduction in fees of \$9,000, pending the final fee application, and payment of 80% of the remaining fees and 100% of expenses. An Agreed Order has been uploaded.

- 5. **Second Interim Fee Application of PSZ&J** – Second Interim Application for Compensation and Reimbursement of Expenses of Pachulski Stang Ziehl & Jones LLP, as Counsel for the Debtor and Debtor in Possession, for the Period from April 1, 2020 through July 31, 2020 [Filed: 8/19/20] (Docket No. 971).

Response Deadline: September 9, 2020 at 4:00 p.m. Eastern Time.

Responses Received:

- a) Informal comments from the Office of the United States Trustee.

Related Documents:

- a) Omnibus Notice of Hearing on Second Interim Applications for Compensation and Reimbursement of Expenses of Estate Professionals [Filed: 8/19/20] (Docket No. 976).

Status: This matter will go forward. The informal comments of the United States Trustee have been resolved. An agreed upon order will be submitted.

- 6. **Second Interim Fee Application of Mercer** – Second Interim Application for Compensation and Reimbursement of Expenses of Mercer (US) Inc., as Compensation Consultant to the Debtor for the Period from March 1, 2020 through May 31, 2020 [Filed: 8/19/20] (Docket No. 972).

Response Deadline: September 9, 2020 at 5:00 p.m. Central Time.

Responses Received: None as of the date hereof.

Related Documents:

- a) Omnibus Notice of Hearing on Second Interim Applications for Compensation and Reimbursement of Expenses of Estate Professionals [Filed: 8/19/20] (Docket No. 976).

Status: This matter will go forward.

7. **1st Interim Fee Application Wilmer Hale** – Consolidated Monthly and First Interim Application of Wilmer Cutler Pickering Hale and Dorr LLP for Allowance of Compensation for Service Rendered and Reimbursement of Expenses as Regulatory and Compliance Counsel for the Period November 19, 2019 through June 30, 2020 [Filed: 8/19/20] (Docket No. 975).

Response Deadline: September 9, 2020 at 5:00 p.m. Central Time.

Responses Received: None as of the date hereof.

Related Documents:

- a) Omnibus Notice of Hearing on Second Interim Applications for Compensation and Reimbursement of Expenses of Estate Professionals [Filed: 8/19/20] (Docket No. 976).

Status: This matter will go forward.

CONTESTED MATTERS

8. **First Omnibus Claims Objection** – Debtor's First Omnibus Objection to Certain (A) Duplicate Claims; (B) Overstated Claims; (C) Late-Filed Claims; (D) Satisfied Claims; (E) No Liability Claims; and (F) Insufficient-Documentation Claims [Filed: 7/30/20] (Docket No. 906).

Response Deadline: September 1, 2020 at 5:00 p.m. Central Time. Extended to September 8, 2020 for HarbourVest entities. Extended to October 1, 2020 for Related Party Claims.

Responses Received:

- a) Informal Response of Internal Revenue Service – *This matter has been resolved. An agreed order has been uploaded to the Court.*
- b) Informal Response of Moody's, Inc. – *This matter has been resolved.*
- c) Informal Response of Andrew Parmentier – *This matter has been resolved by agreement.*
- d) Informal Response of Related Party Claims – *This matter will be continued to a date to be determined.*
- e) Response of Paul N. Adkins [Filed: 8/26/20] (Docket No. 994) – *This matter will be continued to a date to be determined.*
- f) Amended Response of Paul N. Adkins [Filed: 8/31/20] (Docket No. 1006) – *This matter will be continued to a date to be determined.*

- g) Collin County Tax Assessor/Collector's Response to Debtor's First Omnibus Objection to Certain (A) Duplicate Claims; (B) Overstated Claims; (C) Late-Filed Claims; (D) Satisfied Claims; (E) No-Liability Claims; and (F) Insufficient-Documentation Claims [Filed: 9/1/20] (Docket No. 1019) – *This matter has been resolved. An agreed order will be uploaded to the Court.*
- h) Informal Response from Harbourvest parties. – *This matter will be continued to a date to be determined.*

Related Documents:

- a) Notice of Hearing on Debtor's First Omnibus Objection to Certain (A) Duplicate Claims; (B) Overstated Claims; (C) Late-Filed Claims; (D) Satisfied Claims; (E) No Liability Claims; and (F) Insufficient-Documentation Claims [Filed: 7/30/20] (Docket No. 907).
- b) Debtor's Witness and Exhibit List for September 10, 2020 Hearing [Filed: 9/5/20] (Docket No. 1028).

Status: This matter will go forward on an uncontested basis with respect to claimants who did not respond or who agreed to allow an order to be entered on the First Omnibus Claims Objection.

9. **Fourth Exclusivity Extension Motion** – Debtor's Fourth Motion for Entry of an Order Pursuant to 11 U.S.C. § 1121(d) and Local Rule 3016-1 Further Extending the Exclusivity Periods for the Filing and Solicitation of Acceptances of a Chapter 11 Plan [Filed: 8/13/20] (Docket No. 949).

Response Deadline: September 4, 2020 at 5:00 p.m. Central Time.

Responses Received:

- a) Objection of the Official Committee of Unsecured Creditors to the Debtor's Motion to Extend Exclusivity Periods [Filed: 9/4/20] (Docket No. 1026).

Related Documents:

- a) Notice of Hearing [Filed: 8/13/20] (Docket No. 952).
- b) Debtor's Witness and Exhibit List for September 10, 2020 Hearing [Filed: 9/5/20] (Docket No. 1028).

Status: The Motion will go forward with respect to the Debtor's request for an extension of the Debtor's exclusive right to solicit acceptances and rejections in connection with its plan filed on August 12, 2020 (within the Debtor's plan filing exclusivity period) and with respect to scheduling matters concerning the plan process in light of the status of the mediation process.

Dated: September 9, 2020.

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Jeffrey N. Pomerantz (CA Bar No.143717)
Ira D. Kharasch (CA Bar No. 109084)
Maxim B. Litvak (TX Bar No. 24002482)
Gregory V. Demo (NY Bar No. 5371992)
10100 Santa Monica Boulevard, 13th Floor
Los Angeles, CA 90067
Telephone: (310) 277-6910
Facsimile: (310) 201-0760
Email: jpomrantz@pszjlaw.com
ikharasch@pszjlaw.com
mlitvak@pszjlaw.com
gdemo@pszjlaw.com

-and-

HAYWARD & ASSOCIATES PLLC

/s/ Zachery Z. Annable

Melissa S. Hayward
Texas Bar No. 24044908
MHayward@HaywardFirm.com
Zachery Z. Annable
Texas Bar No. 24053075
ZAnnable@HaywardFirm.com
10501 N. Central Expy, Ste. 106
Dallas, Texas 75231
Tel: (972) 755-7100
Fax: (972) 755-7110

Counsel for the Debtor and Debtor-in-Possession